IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: CUTLER, Tara et al.

Serial No.: 10/088,358 Group Art Unit: 2871

Filed: March 18, 2002 Examiner: CALEY, Michael H.

For: OPTICAL COMPENSATOR AND LIQUID CRYSTAL DISPLAY II

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.56, 1.97 and 1.98

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This information disclosure statement is made in accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.98 as follows:

Timing and Fees

\boxtimes	Under disclo	r 37 C.l	F.R. § 1.97(b), no fee or statement is required for filing this information attement is filed:
		within under	a three months of the filing date of a national application other than a CPA § 1.53(d);
		within applic	n three months of the actual filing date of the national phase of a PCT ration; OR
	\boxtimes	before RCE)	e the mailing of a first substantive office action (including after filing of an
	Under specif	37 C.F ied in 3	.R. § 1.97(c), this information disclosure statement is filed after the periods 7 C.F.R. § 1.97(b), but before the mailing date of:
			a final rejection under 37 C.F.R. 1.113;
			termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR
			a notice of allowance under 37 C.F.R. § 1.311; and

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		is acco	ompanied by:
			the statement as specified in 37 C.F.R. § 1.97(e) set out below; OR
			a check covering the fee of \$180.00 under 37 C.F.R. § 1.17(p).
			R. § 1.97(d), this information disclosure statement is filed after the mailing llowing actions which have not been withdrawn:
			a final action under 37 C.F.R. § 1.113;
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			a notice of allowance under 37 C.F.R. § 1.311;
	AND	is filed	on or before payment of the issue fee; AND is accompanied by:
			the statement as specified in 37 C.F.R. § 1.97(e) as set forth below, and the fee of \$180.00 under 37 C.F.R. § 1.17(p).
Statem	ients U	nder 37	C.F.R. 1.97(e)
			Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application having a mailing date not more than three months prior to the filing date of this information disclosure statement; or
			No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned attorney after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the information disclosure statement.
Cited I	Materia	<u>ls</u>	
		ancesto	of materials listed but not attached were cited in benefit (35 U.S.C. § 120) or application Serial No, on Form 892 by the Examiner and/or Form by the applicant; see 37 C.F.R. § 1.98(d).
		Copies report	of materials listed but not attached were cited in an international search dated
		Copies	of the materials listed are attached (except for the foregoing).
			2

Non-L	nglish	Languag	ge References	
		An English-language search report or equivalent paper from a foreign patent office is provided indicating the relevance of the cited reference(s).		
			ign-language search report from a foreign patent office is provided, and ent parts are translated substantively below:	
		X = Y =	document of particular relevance when it is taken alone document of particular relevance when it is combined with another such document	
		A =	document defining the general state of the art non-written disclosure	
		P = T =	intercalated document document cited to understand the theory or principle underlying the invention	
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	\boxtimes	Other I	Information	
which case.	Exami is attac	ner's att hed. Al	ention is directed to copending Application No. 10/088,359, a copy of so attached is a copy of the outstanding Office Action in the copending	
Payme	nt of Fe	es Due	(If Any):	
	A chec	k for \$_	covering the fee identified above is attached.	
	Please	charge t	to Deposit Account No. 13-3402 \$ for the fee identified above.	

 \boxtimes The Commissioner is hereby authorized to charge or credit any overpayment to Deposit Account #13-3402, two copies of this paper are attached for this purpose.

Respectfully submitted,

Harry B. Shubin, Reg. No. 32,004 Attorney/Agent for Applicants

MILLEN, WHITE, ZELANO & BRANIGAN, P.C. Arlington Courthouse Plaza 1 2200 Clarendon Blvd. Suite 1400 Arlington, Virginia 22201 Telephone: (703) 243-6333

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Attorney Docket No.: MERCK-2388

Date: June 14, 2004

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STATEMENT BY APPLICANT

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CUTLER, Tara et al. Group Art Unit 2871 **Examiner Name** CALEY, Michael H. Attorney Docket Number **MERCK-2388**

U.S. PATENT DOCUMENTS						
Cite No.¹	U.S. Patent Docu	ment Kind Code ²	Name of Patentee or Applicant	Date of Publication of Cited Document MM-DD-YYYY		
AA	5,528,400	А	Arakawa	06-18-1996		
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		Cite No. ¹ Number	U.S. Patent Document Kind Code² Cite No.¹ Number (if known)	Kind Code ² Name of Patentee or Applicant Cite No. ¹ Number (if known) of Cited Document		

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Examiner Initials*	Cite No.1	Office ³	Foreign Patent Docu Number ⁴	Kind Code ⁵ (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant	76
	ВВ	GB	2315072	A	Cited Document	01-21-1998	Figures Appear	- '-
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ÍNFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Complete if Known **Application Number** 10/088,358 Filing Date March 18, 2002 First Named Inventor CUTLER, Tara et al. Group Art Unit 2871 **Examiner Name** CALEY, Michael H.

MERCK-2388

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NON PATENT LITERATURE DOCUMENTS Examiner Initials * Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, Cite No.1 journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published T 2 H. HITOSHI et al., "Improvement of Viewing Angle Characteristics In a Twisted-Nematic Liquid-Crystal Display by DD Using a Cholesteric Liquid-Crystal Compensation Layer, Applied Physics Letters, US, American Institute of Physics, Vol. 60, No. 15, pp.1806-1808, April 13, 1992, New York, XP000273981.

Examiner		Date	
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